

### REMARKS

In the Office Action dated December 17, 2004, claims 1, 2, 5, 7, 9, 11-15, 18, 19, and 22-24 were rejected under 35 U.S.C. § 103 over Stephen Mounsey, "Disk Quotas," University of Cambridge, October 9, 1997 ("Mounsey") in view of U.S. Patent No. 6,092,163 (Kyler); and claims 6, 8, and 10 were rejected under § 103 over Mounsey in view of Kyler and U.S. Patent No. 6,438,704 (Harris).

Applicant acknowledges the indication that claims 3, 4, 16, 17, 20, 21, 25, and 26 would be allowable if rewritten in independent form.

It is respectfully submitted that independent claims 1, 11, 18, and 23 are not obvious over the asserted combination of Mounsey and Kyler. Note that claim 1 recites:

- granting a request if the request if allowed would not exceed a *soft limit* of a potential user,
- denying the request if the request if allowed would exceed a *hard limit* of the potential user, *and*
- denying the request if the request if allowed would cause a grand total allocation of the resource for plural users to exceed a *high watermark*.

The Office Action referred to the first paragraph of Mounsey as teaching the soft limit and hard limit recited in claim 1. 12/17/2004 Office Action at 2-3. Mounsey describes each user being allocated an initial disk quota to place limits on the amount of disk space a user's files can occupy as well as the number of files a user is permitted to own. If usage exceeds a soft limit, then further file creation is permitted for a grace period of seven days beyond which any attempt to create a new file will fail. Also, Mounsey teaches that exceeding the hard limit results in immediate failure of all further file creation or expansion until usage has been reduced to an acceptable level.

As correctly noted by the Office Action, Mounsey does not disclose the last denying clause of claim 1, namely, denying the request if the request if allowed would cause a *grand total allocation of the resource for plural users* to exceed a *high watermark* assigned to the resource. However, the Office Action relied upon Kyler as teaching the last denying clause of claim 1. Applicant respectfully submits that the Office Action has failed to establish a *prima facie* case of obviousness against claim 1 over the asserted combination of Mounsey and Kyler, as at least the

following requirement of a *prima facie* case of obviousness have not been satisfied: there must be some motivation or suggestion to combine the reference teachings. See M.P.E.P. § 2143 (8<sup>th</sup> ed., Rev. 2), at 2100-129.

Mounsey teaches a disk quota system that defines a soft limit and a hard limit, with the user allowed to exceed the soft limit for some period of time (grace period of seven days). Thus, a person of ordinary skill in the art looking to the teachings of Mounsey would have been taught to provide the use of a grace period for purposes of granting disk usage after a soft limit has been crossed. There is no suggestion of any desirability to incorporate another technique into the Mounsey disk quota system; more specifically, there is no suggestion of any desirability to deny a request based on a determination that if the request if allowed would cause a grand total allocation of the resource for plural users to exceed a high watermark assigned to the resource. The disk quota system described in Mounsey is focused on per-user limits: the soft limit and hard limit are defined for a single user. There is absolutely no indication or suggestion anywhere in Mounsey that it would be desirable or beneficial to deny a request if a soft limit is exceeded based on a comparison of a grand total allocation of the resource for plural users exceeding a high watermark.

Kyler also fails to provide the requisite suggestion to modify the teachings of Mounsey to achieve the claimed invention. Kyler refers to quotas associated with each user, as well as quotas for directories. However, there is no teaching in Kyler that any of its quotas can be beneficially used with a soft limit and hard limit similar to what is described in Mounsey. No suggestion exists in either Mounsey or Kyler of using the user-related quota or directory quota of Kyler with the soft/hard limit quota system of Mounsey. Thus, there would have been no reason to combine the teachings of Mounsey and Kyler. In view of the foregoing, it is respectfully submitted that a *prima facie* case of obviousness cannot be established because no motivation or suggestion existed to combine the teachings of Mounsey and Kyler.

Independent claim 11 is allowable for similar reasons.

With respect to claim 18, no motivation or suggestion existed to combine Mounsey and Kyler to achieve the recited method, which includes:

- granting the request in response to determining that granting of the request would not cause allocation of the resource for the first user to exceed the *first limit*;

- denying the request in response to determining that granting the request would cause allocation of the resource for the first user to exceed the *second limit*; and
- denying the request in response to determining that total allocation of the resource to plural users including the first user would exceed the *third limit*.

In Mounsey, only soft and hard limits are defined. There is no suggestion in either Mounsey or Kyler of also providing a third limit that is compared to total allocation of a resource to plural users. Therefore, claim 18 is allowable over the asserted combination of Mounsey and Kyler.

Independent claim 23 is allowable over Mounsey and Kyler for reasons similar to those as for claim 18.

Dependent claims are allowable for at least the same reasons as corresponding independent claims.

In view of the defective obviousness rejections of base claims over Mounsey and Kyler, it is respectfully submitted that the obviousness rejections of dependent claims 6, 8, and 10 over Mounsey, Kyler, and Harris are also defective.

Allowance of all claims is respectfully requested. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 08-2025 (10992795-1).

Respectfully submitted,

Date: \_\_\_\_\_

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